

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

v.

[3] JOHN MURPHY-CORDERO,

Defendant.

Criminal No. 11-362 (ADC)

OPINION AND ORDER

On May 11, 2017, defendant John Murphy-Cordero filed an untimely notice of appeal of an Order, dated April 14, 2017, denying his March 2017 motion to reconsider the Court's March 2015 denial of sentencing relief under 18 U.S.C. § 3582(c)(2). **ECF No. 1716**. On June 8, 2017, the First Circuit Court of Appeals transferred the notice here "for a ruling whether the district court will enlarge the time for filing an appeal" pursuant to Federal Rule of Appellate Procedure 4(b). **ECF No. 1728**. This Court may grant such an enlargement only "[u]pon a finding of excusable neglect or good cause." Fed. R. App. P. 4(b)(4). However, neither defendant, *see ECF No. 1716*, nor the record more generally, provides any support for such a finding. Accordingly, the Court hereby **DENIES** defendant an extension of time to file his notice of appeal, which, thus, remains untimely. The Clerk of Court shall forward this decision to the Court of Appeals forthwith.

SO ORDERED.

At San Juan, Puerto Rico, on this 8th day of June, 2017.

S/AIDA M. DELGADO-COLÓN
Chief United States District Judge